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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

PACIRA PHARMACEUTICALS, INC.,
Plaintiff,

vs.

RESEARCH DEVELOPMENT
FOUNDATION,
Defendant.

Case No. 2:21-cv-02241-CDS-DJA

**STIPULATION AND
[PROPOSED] ORDER FOR
EXTENSION OF TIME RE:
DEPOSITIONS**

(THIRD REQUEST)

Plaintiff Pacira Pharmaceuticals, Inc. (“Pacira”) and Defendant Research Development Foundation (“RDF”) (collectively, the “Parties”), by and through their respective counsel, and subject to this Court’s approval, agree to modify the Court’s March 30, 2022 Scheduling Order (ECF No. 39), September 12, 2022 Order for Extension of Time (ECF No. 75), and October 25, 2022 Order for Extension of Time (ECF No. 81) to extend certain discovery deadlines. This is the third request to modify the Scheduling Order.

The Parties seek to extend the discovery cutoff by thirteen (13) days for the sole purpose of taking the depositions of two expert witnesses, Mark Edwards and Ashley Stevens, and to serve final privilege logs as shown in the table below.

Description	Current Deadline	Proposed Deadline
Discovery cutoff for all discovery <i>except</i> with respect to Expert Witness Depositions of Messrs. Edwards and Stevens	January 13, 2023	Unchanged
Discovery cutoff with respect to Expert Witness Depositions of Messrs. Edwards and Stevens and Service of Final Privilege Logs	January 13, 2023	January 26, 2023

This Stipulation is submitted within 21 days of the discovery cutoff. In compliance with LR IA 6-1 and LR 26-3, the Parties submit that good cause exists to extend this deadline. As set forth in more detail below, the Parties have been diligently working towards the discovery cutoff, completing document productions and completing depositions. Scheduling conflicts for witnesses and counsel have led the Parties to agree to take these two expert depositions on January 19 (Mr. Edwards) and January 26 (Mr. Stevens). The Parties are continuing to negotiate and complete e-mail productions by January 13 and the Parties agree to exchange final versions of their respective

1 privilege logs to include e-mails withheld or redacted for privilege in accordance with the
2 governing ESI Order, ECF No. 51, by January 26. The Parties do not at this time propose
3 extending any other deadlines.

4 The discovery period opened on March 10, 2022. Since then, the Parties have engaged in
5 extensive document and written discovery. The Parties have collectively produced over 900,000
6 pages of documents. Pacira has responded to RDF's Interrogatories, Requests for Production, and
7 Requests for Admissions and supplemented those responses. RDF has responded to Pacira's First
8 Set of Interrogatories and Requests for Production, and to Pacira's Second Set of Requests for
9 Production. The Parties have substantially completed their non-email document productions and
10 exchanged amended privilege logs for such. The Parties also appeared before the Court on
11 November 16, 2022 to resolve Pacira's motion to compel discovery, Pacira's motion to amend its
12 complaint, and RDF's motion to stay discovery. Email discovery remains ongoing, and RDF's
13 responses to Pacira's Second Set of Interrogatories and Requests for Admission are due to be
14 served on January 13, 2023. The Parties have, collectively, taken seven depositions and expect to
15 take seven more by January 13, 2023. In light of scheduling difficulties and conflicts for witnesses
16 and counsel, the Parties have agreed, subject to the Court's approval, to schedule two additional
17 depositions beyond the current January 13, 2023 discovery cutoff.

18 In view of the of the volume of discovery and the Parties' efforts related to same, the
19 issues to be addressed, and the Parties' good faith efforts to continue to narrow disputes, good
20 cause exists to extend the discovery cutoff by thirteen days for the sole purposes of taking the
21 depositions of Mr. Edwards and Mr. Stevens and for the parties to serve final privilege logs.

22 This Stipulation is made in good faith, with good cause, and not for purposes of unduly
23 delaying discovery or trial.

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25 Respectfully submitted this 29th day of December, 2022.
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PACIRA PHARMACEUTICALS, INC.

ORDER

The foregoing Stipulation is GRANTED. **IT IS HEREBY ORDERED** based on the Parties' foregoing Stipulation, the following modifications to the March 30, 2022 Scheduling Order, September 12, 2022 Order for Extension of Time, and October 25, 2022 Order for Extension of Time are hereby approved and the following discovery and pretrial deadlines extended for good cause shown:

Description	Deadline
Discovery cutoff for all discovery <i>except</i> with respect to Expert Witness Depositions of Messrs. Edwards and Stevens and Service of Final Privilege Logs	January 13, 2023
Discovery cutoff with respect to Expert Witness Depositions of Messrs. Edwards and Stevens and Service of Final Privilege Logs	January 26, 2023

IT IS SO ORDERED.
UNITED STATES MAGISTRATE JUDGE

DATED: December 30, 2022

CASE NO. 2:21-cv-02241-CDS-DJA

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Pisanelli Bice PLLC, and that on this day, I electronically filed the foregoing document with the Clerk of the Court by using the CM/ECF system, and that service will be accomplished on all counsel and persons requesting notice by the Court CM/ECF system, which will send notification of such filing to their email addresses.

DATED this 29th day of December, 2022.

/s/ Kimberly Peets
An employee of Pisanelli Bice PLLC